

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN M. HARDIMON,

Plaintiff,

VS.

Cause No: 4:18 CV 1763 RWS

EXECUTIVE OFFICE OF THE
UNITED STATES ATTORNEYS, et al.,

Defendants.

MEMORANDUM & ORDER

Plaintiff John Hardimon brings this Freedom of Information Act (“FOIA”) case seeking drafts of a plea agreement between him and the U.S. Attorney for the Southern District of Illinois. Before I held the Rule 16 conference on April 23, 2019, Hardimon filed five motions concerning various aspects of his complaint. In the first of these motions, [No. 9], Hardimon moves to unseal his criminal case, United States of America v. John M. Hardimon, 4:16-cr-00545-RLW (E.D. Mo.). That case is not before me, and I do not have authority to unseal documents in a case before another judge.

In his second and third motions, [Nos. 10 and 12], Hardimon argues that the Defendants have demonstrated bad faith in his prior criminal case and in its search for the plea agreement. In these “Motion[s] to Oppose Government’s Defense,” Hardimon “prays the Honorable [sic] accepts his arguments and demands the government to

release the documents.” In these motions, Hardimon does not request any other action from the court beyond the relief requested in his complaint. Because they request the same relief as Hardimon’s complaint, these filings are not motions per se, but merely arguments.

In his fourth motion, [No. 13], Hardimon argues that he was never arraigned in federal court for his prior criminal case. This motion also does not request any other action from the court beyond the relief requested in Hardimon’s complaint.

Finally, in his fifth motion, [No. 14], Hardimon merely restates certain aspects of his criminal case, including his representation. This motion does not request any other action from the court beyond the relief requested in Hardimon’s complaint.

Accordingly,

IT IS HEREBY ORDERED that Hardimon’s motion to unseal, [No. 9], motions to oppose the government’s defense, [Nos. 10 and 12], motion for fraud on the court, [No. 13], and motion to add claim, [No. 14], are **DENIED**.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", is written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 31st of July, 2019.